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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 FRED GRAVES,

11 Petitioner,

No. CIV S-04-1279 LKK GGH P

12 vs.

13 MIKE KNOWLES, et al.,

14 Respondents.

ORDER

15 _____/
16 Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas
17 corpus pursuant to 28 U.S.C. § 2254. On January 12, 2006, judgment was entered. On February
18 2, 2006, petitioner filed a notice of appeal.

19 On April 5, 2006, petitioner filed a request for transcripts. Fed. R. App. P.
20 10(b)(1) provides that within ten days after filing the notice of appeal the appellant must order
21 from the court reporter a transcript of such parts of the proceedings not already on file.
22 Petitioner's request is untimely as it was filed more than ten days after he filed his notice of
23 appeal. More importantly, no transcripts were prepared in this case. Therefore, all documents
24 necessary for appeal are already on file.

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1 Accordingly, IT IS HEREBY ORDERED that petitioner's April 5, 2006, request
2 for transcripts is denied.

3 DATED: 4/18/06

/s/ Gregory G. Hollows

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5 GREGORY G. HOLLOWS
6 UNITED STATES MAGISTRATE JUDGE

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